

# BEFORE THE STAYTON PLANNING COMMISSION

In the matter of )  
The application for ) Comprehensive Plan Map Amendment  
Charlene Vogel/Santiam Ballet Academy, LLC ) Official Zoning Map Amendment  
File # 7-04/26 )  
)

## RECOMMENDATION OF APPROVAL

### I. NATURE OF APPLICATION

The applicant has submitted applications for a Comprehensive Plan Map amendment from Residential to Downtown and an Official Zoning Map amendment from Low Density Residential to Downtown Residential Mixed Use.

### II. PUBLIC HEARING

A public hearing was held on the applications before the Stayton Planning Commission on May 26, 2026. At that hearing the Planning Commission reviewed Land Use File #7-04/26, applications for Comprehensive Plan Map amendment and Official Zoning Map amendment, and it was made part of the record.

### III. FINDINGS OF FACT

#### A. GENERAL FACTS

1. The owner of the property is the Oregon Pacific District Church of the Nazarene.
2. The applicant is Charlene Vogel/Santiam Ballet Academy, LLC, who has presented a purchase and sales agreement to establish their right to file an application.
3. The property is tax lot 3200 as shown on Map 91W10DB.
4. The property is addressed as 579 E Washington St.
5. The property is currently designated Residential by the Comprehensive Plan and is zoned Low Density Residential (LD).
6. The property is 0.42 acres in area. The property has 116 feet of frontage on E Washington St, 150 feet of frontage on N Fifth Ave and 16 feet of frontage on E Jefferson St.
7. The property is developed with a building that was previously used as a place of worship and associated parking and landscaping. The place of worship was a legally existing nonconforming use.
8. The neighboring property to the north is zoned LD and is developed with a single family dwelling. The neighboring properties to the east are zoned LD and are developed with single family dwellings. The neighboring property to the south, across E Washington St, is zoned Downtown Residential Mixed Use (DRMU)

and is developed with a single family dwelling. The neighboring property to the southwest, across the intersection, is zoned DRMU and is developed as dental office. The neighboring properties to the west are zoned LD and developed with single family dwellings.

9. The proposal is to amend the Comprehensive Plan Map designation for the subject property from Residential to Downtown and the zoning from Low Density (LD) Residential to Downtown Residential Mixed Use (DRMU), to allow for the future establishment of a dance studio.

#### **B. AGENCY COMMENTS**

The following agencies were notified of the proposal: City of Stayton Public Works, Santiam Water Control District, Wave Broadband, Stayton Cooperative Telephone Company (SCTC), Pacific Power, Northwest Natural Gas, Stayton Fire District, Stayton Police Department, North Santiam School District, Marion County Public Works, Marion County Planning Division, and Santiam Hospital. A notice of Post-Adoption Plan Amendment was filed with the Oregon Department of Land Conservation and Development on April 17, 2026.

Responses were received from SCTC stating that they have no issue with the change. Santiam Hospital said that they had no comment or concern. Comments were received from Public Works and the City's transportation planning consultant that are reflected in the findings below.

#### **C. PUBLIC COMMENTS**

The surrounding property owners were notified of the public hearing and the applications and notice appeared on the City's website. A sign was posted on the property providing notice of the public hearing. No comments were received from the public prior to the public hearing.

#### **D. ANALYSIS**

Comprehensive Plan Map amendments are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Chapter 17.12, Section 17.12.170.6. Official Zoning Map amendments are required to satisfy approval criteria contained within SMC Chapter 17.12, Section 17.12.180.6.

#### **E. APPROVAL CRITERIA**

##### **Section 17.12.170.6 Comprehensive Plan Amendment Approval Criteria.**

Pursuant to SMC 17.12.170.6.b the following criteria must be demonstrated as being satisfied by the application for a Comprehensive Plan amendment:

- 1) *The amendment is consistent with the goals and policies of the Comprehensive Plan, including any relevant area plans, and the statewide planning goals. In the case of a Comprehensive Plan Map amendment, the requested designation for the site shall be evaluated against relevant Comprehensive Plan policies and the decision authority shall find that the requested designation on balance is more supportive of the Comprehensive Plan as a whole than the old designation.*

Finding: The Comprehensive Plan describes the purposes of the Downtown and Residential designations. However, no other direction is provided in the Plan as to the location of these areas. Goals and Policies within the Comprehensive Plan that provide some direction regarding this application include the goal for public facilities and services that urban development will occur in areas with existing services and the goal to enhance and protect the vitality of the existing commercial and service sector. The subject site is served by existing utilities and will not require an extension of the public services. This application has been submitted to allow future conversion of a legally existing nonconforming use to a ballet/dance studio.

- 2) *The current Comprehensive Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.*

Finding: The subject property is directly across the street from the existing DRMU zone on the south side of E Washington St. While there are six vacant parcels in the DRMU, not of the vacant parcels are as large as the subject property. The existing building has been vacant for more than three years.

- 3) *Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.*

Finding: The pertinent Statewide Land Use Goals are Goals 5, 7, 9, and 10. Goal 5 is to protect natural resources and conserve scenic and historic areas and open spaces. There are no “Goal 5 Resources” identified in the Comprehensive Plan on or adjacent to the subject property. Goal 7 is to protect people and property from natural hazards. There are no natural hazards identified on or adjacent to the subject property.

Goal 9 is to provide adequate opportunities for a variety of economic activities. The property is currently designated Residential and has been a legally existing nonconforming use. Amendment of the Comprehensive Plan Map designation to Downtown would increase opportunity for economic activity in the City and would implement the adopted Economic Development Strategy of supporting the expansion of existing businesses.

Goal 10 is to provide for the housing needs of the citizens of the state. The proposed amendment would reduce the amount of land designated for residential use. However, the Comprehensive Plan indicates that there were 950 acres of land designated for residential growth in the urban growth area. The Comprehensive Plan indicated that approximately 460 acres of land would be needed for residential growth during the planning period. This amendment would result in a decrease of about 0.04% in the amount of available land for residential development, and still leave a surplus of almost 500 acres above what was projected to be needed during the planning period.

- 4) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Finding: The applicant submitted an analysis of the potential impacts of the Comprehensive Plan Map amendment on the transportation system. The analysis was prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system.

The analysis was reviewed by the City's transportation engineering consultant, who concluded that the applicant's analysis did not adequately evaluate the full range of reasonably foreseeable trip-generating uses permitted under the proposed Downtown Residential Mixed Use designation and recommended preparation of a full Traffic Impact Analysis evaluating the broader development potential allowed under the proposed Comprehensive Plan and zoning designations.

Based on the existing development pattern, the relatively small size of the subject property, the adaptive reuse nature of the proposal, and the requirement for future transportation review should the site redevelop or intensify in the future, staff finds that the proposed amendment is not expected to result in a significant effect on the surrounding transportation system.

- 5) *The current Comprehensive Plan Map provides more than the projected need for lands in the existing land use designation.*

Finding: There are approximately 1,824 acres of land within the Urban Growth Boundary currently designated Residential. The Comprehensive Plan indicated that there were approximately 921 buildable acres of land inside the Urban Growth Boundary and outside of the City limits. Since that time, approximately 119 acres of residential land have been annexed into the City, along with approximately 8 acres of commercial land and 10 acres of industrial land. The Comprehensive Plan also indicated that the City would need approximately 460 acres of land for residential development during the planning period and that there were approximately 144 acres of buildable residential land within the City limits at the time of adoption. The Comprehensive Plan identified approximately 950 acres of land designated for residential growth within the Urban Growth Boundary.

Based on the approximately 119 acres of residential land annexed since adoption of the Comprehensive Plan, the remaining estimated residential land need is approximately 341 acres during the planning period. This amendment would

reduce the amount of land available for residential development by approximately 0.42 acres and would still leave a substantial surplus of residential land above the amount projected to be needed during the planning period.

- 6) *Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.*

Finding: The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.

- 7) *Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.*

Finding: Neighboring properties on the north side E Washington St are all single family dwellings in the LD zone. The neighboring properties in the south side of E Washington are mix of residential and commercial uses and zoned DRMU. Abutters in the sounding area were notified and staff did not receive any comments for or against development.

**Section 17.12.180.6 Official Zoning Map Amendment Approval Criteria.**

Pursuant to SMC 17.12.180.6.b the following criteria must be demonstrated as being satisfied by the application for Zoning Map amendment:

- 1) *The proposed zone is consistent with the Comprehensive Plan map designation for the subject property unless a Comprehensive Plan Map amendment has also been applied for and is otherwise compatible with applicable provisions of the Comprehensive Plan.*

Finding: There is a concurrent application to amend the Comprehensive Plan Map designation from Residential to Downtown.

- 2) *Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.*

Finding: The subject property at 579 E Washington Street is located within a developed area of the City and is currently served by existing public facilities and utilities. There is an existing 1 1/4-inch water main in N 5th Avenue and an existing 3/4-inch water service connection serving the existing building. There is also an existing 8-inch sanitary sewer main in N 5th Avenue and an existing 4-inch sewer service connection serving the property.

- 3) *Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation and the proposed amendment is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060).*

Findings: The applicant submitted an analysis of the potential impacts of the Zoning Map amendment on the transportation system. The analysis was

prepared by Christopher Clemow, PE. The analysis estimated that under the current LD zoning and Residential designation the worst-case traffic generation would be 9 daily trips with one PM peak hour trip. The analysis projected traffic generation from a 10-unit townhouse development or a medical dental office building as the worst-case scenario under the proposed zoning, with daily trip generation of 148 trips. The analysis noted that amendments that result in 400 or more added trips are deemed likely to have a significant impact on the transportation system. The analysis concluded that the proposed amendment is not expected to have significant effect on the surrounding transportation system.

The analysis was reviewed by the City's transportation engineering consultant, who concluded that the applicant's analysis did not adequately evaluate the full range of reasonably foreseeable trip-generating uses permitted under the proposed Downtown Residential Mixed Use designation and recommended preparation of a full Traffic Impact Analysis evaluating the broader development potential allowed under the proposed Comprehensive Plan and zoning designations.

Based on the existing development pattern, the relatively small size of the subject property, the adaptive reuse nature of the proposal, and the requirement for future transportation review should the site redevelop or intensify in the future, staff finds that the proposed amendment is not expected to result in a significant effect on the surrounding transportation system.

- 4) *The purpose of the proposed zoning district satisfies the goals and policies of the Comprehensive Plan.*

Findings: Three categories of Comprehensive Policies are appropriate to look at with this application: housing, economic, and land use.

Policy HO-4 is to encourage the maintenance, conservation and enhancement of existing residential areas and housing stock. The property is currently developed with a church building that was a legally existing nonconforming use.

There are no economic policies in the Comprehensive Plan directly related to this application. Though not part of the Comprehensive Plan, in August 2019, the City Council adopted a set of Economic Development Strategies. Among the guiding principles in the Strategies is to place existing businesses first. This amendment would facilitate the relocation and expansion of an existing business.

Policy LU-1 is that the City will adopt a zoning map consistent with the Comprehensive Plan Map. This policy is to be implemented by an action that zoning district boundaries are to follow property lines and rights of way centerlines as much as practicable.

- 5) *Balance is maintained in the supply of vacant land in the zones affected by the zone change to meet the demand for projected development in the*

*Comprehensive Plan. Vacant land in the proposed zone is not adequate in size, configuration or other characteristics to support the proposed use or development. A Zone Map Amendment shall not eliminate all available vacant land from any zoning designation.*

Findings: There are 13 vacant lots within the city that are zoned LD, with a combined area of 25.5 acres. There are 6 vacant lots of zoned DRMU, with a combined acreage of 1.21 acres. The subject property is not vacant and is legally existing nonconforming use.

- 6) *The proposed zone amendment satisfies applicable provisions of Oregon Administrative Rules.*

Findings: The applicant provided an analysis required by OAR 660-012-0060. Notice was provided to the Department of Land Conservation and Development more than 35 days prior to the first evidentiary hearing on these applications as required by OAR 660-018-0020.

- 7) *The physical characteristics of the property proposed for rezoning are appropriate for the proposed zone and the potential uses allowed by the proposed zone will not have an adverse impact on the surrounding land uses.*

Findings: The subject property is flat and level. The property is already developed with a building. None of the abutting residents provided comments either in support of or in opposition to the application.

#### **IV. CONCLUSION**

Based on the facts above, the Planning Commission concludes that the application meets the requirements established in SMC Sections 17.12.170.6 and 17.12.180.6.

#### **V. ORDER**

Based on the conclusion above, the Planning Commission recommends to the City Council that the City Council approve the applications for Comprehensive Plan Map amendment and Official Zoning Map amendment.

\_\_\_\_\_  
Ralph Lewis,  
Planning Commission Chairperson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jennifer Siciliano AICP,  
Director of Community and Economic Development

\_\_\_\_\_  
Date